

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SAMUEL MENDEZ,
Plaintiff,

v.

PENNSYLVANIA DEPT. OF
CORRECTIONS, et al.,
Defendants.

C.A. No. 05-35 ERIE

ORDER

AND NOW, this 19th day of April, 2006;

IT IS HEREBY ORDERED that Defendant Department of Corrections' motion for extension of time to file motion to dismiss against the amended complaint [Document # 46] is DENIED. The motion to amend the complaint is currently pending and Defendants were ordered to file a response to the motion to amend before November 23, 2005.

IT IS FURTHER ORDERED that the Department of Corrections may file an opposition to the motion to amend before April 26, 2006.

S/ Susan Paradise Baxter
Susan Paradise Baxter
UNITED STATES MAGISTRATE JUDGE